

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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STACEY A. MORALES,

Plaintiff,

ORDER

-against-

06 CV 5383 (RJD)

MICHAEL J. ASTRUE,
COMMISSIONER OF SOCIAL SECURITY

Defendant.

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DEARIE, Chief Judge.

Pursuant to 42 U.S.C. § 405(g), plaintiff Stacey A. Morales seeks to set aside the Commissioner's determination that she was not disabled within the meaning of the Social Security Act. At oral argument on March 24, 2008, plaintiff acknowledged that her argument boiled down to one issue: whether the vocational expert called by the Administrative Law Judge (ALJ) took plaintiff's condition sufficiently into account when determining whether there were jobs in the national economy that could accommodate her. After reviewing the record, the Court is satisfied that the expert was made aware of plaintiff's condition and took her particular needs into account before determining that she had sufficient residual functional capacity to find employment. As a result, the Court finds the ALJ's decision to be supported by substantial evidence in the record and grants defendant's motion for judgment on the pleadings.

SO ORDERED.

Dated: Brooklyn, New York
March 25, 2008

s/ Judge Raymond J. Dearie

RAYMOND J. DEARIE
United States District Judge